

Thank you, TONY, so much for being our friend, for being our colleague, and for being a real and genuine person who always cares more about others than yourself.

# RECESS

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 3 o'clock and 34 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1900

# AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SWEENEY) at 7 p.m.

# COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, July 25, 2002.

Hon. J. DENNIS HASTERT,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: I am transmitting herewith a letter received on July 25, 2002, from the Honorable Virgil H. Goode, Jr., requesting that, effective August 1, 2002, his party designation be changed to Republican on all publications and databases of the House of Representatives.

With best wishes, I am,

Sincerely,

JEFF TRANDAH,  
Clerk of the House.

# COMMUNICATION FROM THE HON. DAVID E. BONIOR, MEMBER OF CONGRESS

The Speaker pro tempore laid before the House the following communication from the Honorable DAVID E. BONIOR, Member of Congress:

WASHINGTON, DC,  
July 25, 2002.

Hon. DENNIS J. HASTERT,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a civil subpoena for documents and testimony issued by the United States District Court for the District of Columbia.

After consulting with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

DAVID E. BONIOR,  
Member of Congress.

# REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5005, HOMELAND SECURITY ACT OF 2002

Ms. PRYCE of Ohio, from the Committee on Rules, submitted a privi-

leged report (Rept. No. 107-615) on the resolution (H. Res. 502) providing for consideration of the bill (H.R. 5005) to establish the Department of Homeland Security, and for other purposes, which was referred to the House Calendar and ordered to be printed.

# PROVIDING FOR CONSIDERATION OF H.R. 5005, HOMELAND SECURITY ACT OF 2002

Ms. PRYCE of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 502 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. RES. 502

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5005) to establish the Department of Homeland Security, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed 90 minutes equally divided and controlled by the chairman and ranking minority member of the Select Committee on Homeland Security. After general debate the bill shall be considered for amendment under the five-minute rule.

SEC. 2. (a) It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Select Committee on Homeland Security now printed in this bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived.

(b) No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution and amendments en bloc described in section 3 of this resolution.

(c) Except as specified in section 4 of this resolution, each amendment printed in the report of the Committee on Rules may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(d) All points of order against amendments printed in the report of the Committee on Rules or amendments en bloc described in section 3 of this resolution are waived.

SEC. 3. It shall be in order at any time for the chairman of the Select Committee on Homeland Security or his designee to offer amendments en bloc consisting of amendments printed in the report of the Committee on Rules not earlier disposed of or germane modifications of any such amendment. Amendments en bloc offered pursuant to this section shall be considered as read (except that modifications shall be reported), shall be debatable for 20 minutes equally divided and controlled by the chairman and ranking minority member of the Select Committee on Homeland Security or their des-

ignees, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. For the purpose of inclusion in such amendments en bloc, an amendment printed in the form of a motion to strike may be modified to the form of a germane perfecting amendment to the text originally proposed to be stricken. The original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc.

SEC. 4. The Chairman of the Committee of the Whole may recognize for consideration of any amendment printed in the report of the Committee on Rules out of the order printed, but not sooner than one hour after the chairman of the Select Committee on Homeland Security or his designee announces from the floor a request to that effect.

SEC. 5. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The question is, Will the House now consider House Resolution 502.

The question was taken; and (two-thirds of those having voted in favor thereof) the House agreed to consider House Resolution 502.

The SPEAKER pro tempore. The gentlewoman from Ohio (Ms. PRYCE) is recognized for 1 hour.

Ms. PRYCE of Ohio. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), the ranking member of the Committee on Rules and a member of the Select Committee on Homeland Security, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, H. Res. 502 is a structured rule providing for the consideration of H.R. 5005, the Homeland Security Act. The rule provides 90 minutes of general debate, equally divided and controlled between the chairman and ranking minority member of the Select Committee on Homeland Security. It provides an amendment in the nature of a substitute recommended by the Select Committee on Homeland Security now printed in the bill be considered as an original bill for the purpose of amendment.

The rule also makes in order only those amendments printed in the Committee on Rules report accompanying the resolution. Each amendment may be offered only in the order printed, may be offered only by a Member designated in the report, shall be debatable only for the time specified, equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment or demand for